

SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS

MINUTES

Corrected

November 19, 2009

The South Carolina Commission on Disabilities and Special Needs met on Thursday, November 19, 2009, at 9:45 AM at the Whitten Center in Clinton, South Carolina.

The following were in attendance:

COMMISSION

Present:

Kelly Hanson Floyd, Chairman
Rick Huntress, Vice Chairman (Via Teleconference)
Otis Speight, Secretary
Bobby Harrell (Via Teleconference)
Deborah McPherson
Nancy Banov
Susan Lait

DDSN Administrative Staff

Dr. Beverly Buscemi, State Director; Tom Waring, Acting Deputy State Director, David Goodell, Associate State Director, Operations; Kathi Lacy, Associate State Director, Policy; Kevin Yacobi, Director, Internal Audit; Tana Vanderbilt, General Counsel; Deirdre Blake-Sayers, Director, Human Resources; Lois Park Mole, Director, Government and Community Relations; Bryan Malone, Whitten Center; Al Brumfield, Facility Administrator, Whitten Center; Debbie Detroia, Whitten Center; Robin Elsmore, Whitten Center; Randy Davis, Whitten Center; Sonja Renwick, District I Office; John King, Director, District I Office; Pat Fagan, District I Office; Mary Ann Weaver, Whitten Center

Guests

Linda Lee, Whitten Center Parents' Club; Carolyn Brown, Voices for the Voiceless/Parent; Ralph Courtney, Executive Director, Aiken County DSN Board; Fred Owens, Executive Director, Newberry County DSN Board; James Blackwood, Executive Director, Spartanburg County DSN Board; Peggy Nalley, Greenville Parent; Kathleen Roberts, Whitten Center Parents' Club and SC PADD; Gloria Phillips, Whitten Center Parents' Club; Roy D. Roberts, Whitten

Center Parents' Club; Jerri Davison, Protection & Advocacy; Jean E. Shirley, Whitten Center Parents' Club; Teresa Medlin, Burton Center; Jimmy Burton, Interim Executive Director, Burton Center; Jim White, Parent; Paula White, Parent; Mildred Lilley, Parent; Carolyn Myers, Parent; Marilyn D. Woods, Advocate; Gerald Bernard, Executive Director, Charles Lea Center; Leroy C. Parker, Parent; Elaine Parker, Parent; Fred Lynn, Whitten Center Parents' Club; Beverly Brewer, Voices for the Voiceless; Kenneth Gilmore

DDSN Central Office (Via Teleconference)

Leanne Johnston, SCHSP; Ann Dalton, Lisa Weeks, Budget; Richard Wnek, Director, Cost Analysis; Linda Veldheer, Director, Head and Spinal Cord Injury; Diane Epperly, SC Spinal Cord Injury Association; Janet McCullough Whittle, Family; Pike Moss, Executive Director, Calhoun County DSN Board; Dorothy Goodwin, Community Options; George Macky, DHHS; Shondala Hall, Internal Audit; Erica Benson, Comfort Keepers; Joyce Davis, Executive Director, Brain Injury Alliance of SC; W. C. Houcke, Family Connection; Janet Priest, Director, MR/RD Division

Coastal Regional Center (Via Teleconference)

Rufus Britt, III, Director, District II Office; Rick Magner, Executive Director, Charleston DSN Board; Elizabeth Krauss, Executive Director, Georgetown County DSN Board; John Hitchman, District II Office; Mitzi Wagner, Executive Director, Beaufort County DSN Board; Dean Redd, Executive Director, Colleton County DSN Board

Pee Dee Regional Center (Via Teleconference)

Gloria Kasler, RN, Nightingale's Nursing and SCAPCP; Tom Kasler, Nightengale's Nursing and SCAPCP

York County DSN Board (Via Teleconference)

Mary Poole, Executive Director, York County DSN Board; Michelle Shaffer, Staff Member

News Release of Meeting

Mrs. Kelly Floyd, Chairman, called the meeting to order. Dr. Otis Speight read a statement of announcement about the meeting that had been mailed and emailed to the appropriate media, interested persons, and posted at the Central Office, Whitten Center and on the website in accordance with the Freedom of Information Act.

Invocation

Mrs. Deborah McPherson gave the invocation.

Public Input

There were no requests for Public Input.

Adoption of the Agenda

On motion of Dr. Speight, seconded by Mrs. McPherson and passed, the Commission approved the agenda for the meeting. (Attachment A)

Approval of the Minutes of the October 15, 2009 and the October 26, 2009 Meetings

Mrs. Nancy Banov made a request to amend the October 15, 2009 minutes to add an additional statement. On motion of Mrs. Susan Lait, seconded by Mrs. Banov and passed, the Commission approved the October 15, 2009 minutes with the amendment and the October 26, 2009 minutes.

Request to State Budget & Control Board

Mrs. Floyd explained the request was to go before the State Budget and Control Board to request an amount over the minimum salary for the State Director. Mr. Bobby Harrell made a motion that the Commission not go before the State Budget & Control Board. The motion was seconded by Mr. Rick Huntress. By a vote of 4 to 3, Mrs. Floyd announced the motion passed.

Whitten Center Update

Mr. Al Brumfield gave an overview of the history of the Whitten Center and provided each Commission member with a book titled *A History of Whitten Village*. He explained how the other items given to the Commission members related to productivity of the consumers at the Center. Mr. Brumfield then gave a brief overview of the campus with a display and talked about the new project to develop a multi-purpose outdoor area which will offer the consumers more recreational opportunities. This project is being funded by the Whitten Center Foundation.

Whitten Center Parent's Presentation

Mrs. Kathleen Roberts spoke on behalf of the Whitten Center parents. She thanked Dr. Buscemi and the Commission members for being at Whitten Center. Mrs. Roberts shared her and other Whitten Center parents' thoughts of the Whitten Center. She said the parents do not look at the Center as an institution but rather an all-inclusive community for persons with significant behavioral or health needs. Mrs. Roberts spoke about all the activities that take place, how safe the center is, and how supportive and knowledgeable the staff are in meeting consumers' needs. She stressed that aging parents will

need someone to keep care of their child and how important that individuals reach their full potential.

Mrs. Linda Lee stated that her 31-year-old daughter has lived at the Whitten Center for 24 years. She spoke briefly of Mr. Benjamin Otis Whitten who founded the Center and that in 1952 when Mr. Whitten invited parents to form a parents' club to make improvements at the Whitten Center, 1,000 parents attended. Mrs. Lee talked about the club's fundraising efforts and how the Whitten Center benefits from the proceeds. She discussed how the parents want their loved ones to be part of the community and how they work with the community through different organizations. Mrs. Lee spoke of the different activities the consumers are involved in which bring normalcy in their lives. She emphasized how important it is to keep the center a strong place and that it be a central place for events for the community. Mrs. Lee thanked everyone for being at the meeting. Mrs. Floyd expressed to Mrs. Lee how wonderful the Parents' Club is and that not only is she involved for her own child's benefit but for other parents' children as well.

Old Business: Regional Centers Update

Mr. David Goodell gave an update on Whitten, Midlands, Coastal, Pee Dee, Coastal and Saleeby, DDSN's five Regional Centers. The centers serve approximately 850 individuals with the most significant needs. He stated all services provided enhance the health, safety and quality of life of the persons living at the centers. Mr. Goodell noted that while the primary mission of the centers is to serve the individuals who reside there, that they also provide another important service. The centers offer temporary respite for families raising a severely disabled child which allows the family to participate in activities that they otherwise could not. During the past fiscal year, the centers provided 174 episodes of respite. He stated that while the centers operate on self-contained campuses, all are very involved with their communities. He said it is not just the communities giving to the centers; the centers give back to the communities. Mr. Goodell then shared examples of this with one being the Midlands Center staff collecting and giving food to needy families at Thanksgiving. Mr. Goodell reported the centers comply with many ICF regulations and are assessed on an annual basis to ensure they are complying with regulations. He added that Rufus Britt and John King check on centers to ensure they are doing what they need to be doing. Mr. Goodell reported that a recent survey showed that 92% of families are satisfied with the centers. Mr. Goodell spoke highly of all staff and especially direct care staff. He expressed that they are the heart and soul of the centers. With the financial challenges faced by the centers during the past couple of years, Mr. Goodell acknowledged the creativity of staff to not only continue to meet the needs of the consumers but still improve services with new initiatives. Mr. Goodell reported on several such initiatives such as the establishment of self-advocacy groups and many physical improvements on the premises with capital investments.

New Business: Grant from Energy Office

Mr. Tom Waring reported on the grant from the SC Energy Office stating the grant is good news during bad economic times. The SC Energy Office received grant funds from the US Department of Energy. The \$309,000 that was awarded to DDSN is based on square footage area of the centers as compared to other state agencies. DDSN submitted a proposal in July documenting energy efficiency projects that will have savings recovery over 5 to 6 years. The funding will be used for campus activities to provide for energy proficiency improvements.

State Director's Report/Announcements

Dr. Buscemi asked Mr. Waring to present information on the Consideration of Bid for the Coastal Center. Mr. Tom Waring stated the bid is to refurbish the Hillside Program Building on the Coastal Center campus. Discussion followed. It was recommended the project be awarded to Brunson Construction Company, Inc. of Hampton, SC in the amount of \$261,000.00. On motion of Mrs. Banov, seconded by Mrs. McPherson and passed, the Commission approved the bid as presented including using the second lowest bidder if necessary. (Attachment B)

Dr. Buscemi stated there was a slight change in the Babcock renovations and asked Mr. Waring to present the information. Mr. Waring stated in the July 17, 2009 Commission meeting, three community projects were approved, one being \$800,000 for renovations of a Babcock day program building; however, a newer building has been located to replace the current day program building. Mr. Waring stated the renovations would be well worth the effort over renovating an older building. The cost of the building is approximately \$750,000 and would need \$450,000 in renovations. The Babcock Foundation would fund \$200,000 with the remaining \$200,000 funded from DDSN. Mrs. Floyd asked if the property was in any way an environmental hazard. Mr. Waring replied no and added that it is in a safe environmental business complex. Mrs. McPherson asked if the property had adequate lighting. Mr. Waring replied yes. On motion of Mrs. McPherson, seconded by Dr. Speight and passed, the Commission approved DDSN funding the additional \$200,000 to assist in the purchase and the renovations of the Babcock day program building. Discussion followed.

Mr. Waring discussed a request that the department received from the Joint Bond Review Committee (JBRC) to present at their December meeting any capital projects that were shovel-ready and required no design work. This effort was being requested by JBRC to help stimulate the economy. The department submitted \$500,000 in projects that had previously been approved by the Commission in the April 2009 meeting. The department was one of two state agencies that were able to put a submittal together based on the criteria

established by JBRC. Mr. Waring stated that he was bringing this to the Commission as information and to keep them aware of the action the department had taken in regards to JRBC's request.

Dr. Buscemi gave a report on various topics. The MR/RD and PDD waiver renewals have been approved by CMS with the HASCI waiver still awaiting approval. January 1, 2010 is the implementation date for the waivers. Providers have been working with families and a formal letter will go out on December 1, 2009 to all affected individuals. Dr. Buscemi stated that just this week, DHHS has worked out how adults in the MR/RD waiver will access PT, OT and Speech services via the state Medicaid plan. Dr. Lacy has a Medicaid flow chart for those who desire a copy.

Dr. Buscemi reported on the PDD waiver slots and stated the release of each slot takes 45-60 days to process. She also reported that the barriers to the process are the availability of line therapists and a third-party insurance issue. Dr. Buscemi further explained there is difficulty in locating behavioral specialist and ABA providers; however, the agency is working with the University of Nevada to certify 35 individuals that are in our system within a year and six months.

Dr. Buscemi gave a brief update of the Senate Medical Affairs Committee on Bill H.3314 regarding restructuring. At the committee's October meeting, the recommendation for DDSN to go under the Governor's Cabinet failed. Once the amendments to the bill are available, the Commission will be provided this information.

Dr. Buscemi gave a report on the agency website stating the Commission meeting minutes beginning from January 2009 have been posted on the website. She stated she would like to see continued improvements to the website to be more user-friendly and comprehensive.

Dr. Buscemi reported a Federal HHS review is being conducted of the agency through the Office of Inspector General. She has met with DDSN staff regarding the review. How the agency bills through the Medicaid MR/RD waiver will be audited beginning with FY 2008 records. Information will go out to the providers. Dr. Buscemi stated the Commission will be updated as the review evolves and progresses. Mrs. Floyd stated Mr. Waring will ensure these individuals understand our process of providing services.

Dr. Buscemi reported that a provider was fined in accordance with the DDSN Internal Audit contract. The provider petitioned the agency to forgive the fine because it was their first offense. The agency compromised and billed half the amount to be taken out in monthly installments between now and June 2010. There was no loss of billing. Dr. Buscemi stated the agency is

working on defining across-the-board criteria for financially sanctioning providers based upon objective performance problems.

Dr. Buscemi gave an update on a recent incident at the Charles Lea Center. A consumer was left unattended in a residential setting and the responsible staff member was arrested and charged with neglect of a vulnerable adult. She reported that DDSN staff have reviewed this incident and believe that the center followed all appropriate procedures. All four men in the home were checked for injury at the hospital but were not found to have been injured. The Charles Lea Center implemented additional safeguards to ensure it does not happen again.

Dr. Buscemi reported that a Richland/Lexington County DSN Board consumer with cerebral palsy had a contractor renovate her bathroom; however, the work was not completed properly causing water damage to the home. The contractor was not responsive to the complaints. The board was notified on November 2, 2009 and tried to intervene. DDSN is paying for the family to reside in a hotel while the work is being completed and also paying for any damages made to the home. DDSN will also pursue recovery of the funds paid to the original contractor.

Dr. Buscemi stated DDSN is proceeding with the residential capacity reduction regarding the Bed Reduction versus Rate Reduction in accordance with the Commission approved reduction plan. The target date of full implementation is January 15, 2010. Information on this reduction action has gone out to providers.

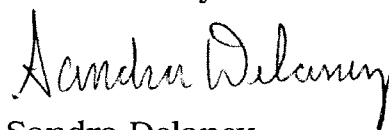
Dr. Buscemi reported the Board of Economic Advisors indicated an additional 3% budget reduction is likely. Dr. Buscemi and staff will go back and look at Plan B items and will make a recommendation to the Commission in December.

Next Regular Meeting Date/Location

Mrs. Floyd announced the next Commission meeting would be held December 17, 2009, in Columbia, South Carolina.

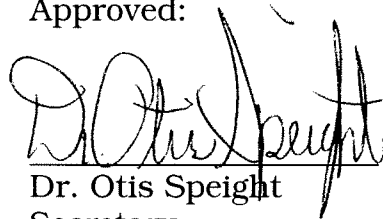
On motion of Dr. Speight, seconded by Mrs. McPherson the meeting was adjourned.

Submitted by,

A handwritten signature in black ink, appearing to read "Sandra Delaney".

Sandra Delaney

Approved:



Dr. Otis Speight
Secretary

SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS

A G E N D A

**South Carolina Department of Disabilities and Special Needs
DDSN Whitten Center
Health Services Building/Conference Room
28373 Highway 76E
Clinton, South Carolina**

November 19, 2009

9:45 AM

1. Notice of Meeting Statement – *Commissioner Otis Speight*
2. Invocation – *Commissioner Deborah McPherson*
3. Introduction of Guests
4. Public Input
5. Adoption of Agenda
6. Approval of the Minutes of the October 15, 2009 and the October 26, 2009 Meetings
7. Request to State Budget & Control Board
8. Whitten Center Update – *Mr. Al Brumfield*
9. Whitten Center Parent's Presentation – *Ms. Kathleen Roberts/Ms. Linda Lee*
10. Old Business:
Regional Centers Update – *Mr. David Goodell*
11. New Business:
Grant from Energy Office – *Mr. Tom Waring*
12. State Director's Report/Announcements
13. Next Regular Meeting Date (December 17, 2009)/Location

PLEASE SILENCE CELL PHONES DURING THE MEETING. THANK YOU.

CONSIDERATION OF BIDS

**COASTAL CENTER
HILLSIDE PROGRAM BUILDING REFURBISHMENT
STATE PROJECT NO: J16-9829-CA**

The project scope includes interior renovation of an existing approximately 5,052 square foot program/office building at SCDDSN's Coastal Center campus for use as Coastal Autism Division headquarters. Base Bid work includes limited demolition, new metal stud walls, new ceilings with insulation, new mechanical system, new lighting, interior painting, some electrical, plumbing, cabinetry, and other general repairs. Alternate Number One includes new floor finishes, including new carpet and VCT. Alternate Number Two includes providing built-in shelving in three rooms. Alternate Number Three includes providing HVAC controls connected to the campus fiber optic system in lieu of less expensive programmable thermostats.

Engineering and Planning recommends that a contract be awarded for **BASE BID ONE**, to **BRUNSON CONSTRUCTION CO., INC, of HAMPTON, SC** in the amount of **\$261,000.00**. While no problem is anticipated, permission is requested to award to the second low bidder should the low bidder be determined non-responsive or non-responsible.

Base Bid One: **\$ 261,000.00**

Contract Amount: **\$ 261,000.00**

ATTACHMENT: Bid Tabulation

FUNDS: Excess Debt Service

BID DATE: **11/10/09**

DATE: **11/10/09**

PROJECT NO.:
PROJECT NAME:

J16-8829-CA
Coastal Center

PROJECT DESCRIPTION:
ARCHITECT/ENGINEER:

Hillside Program Building - Refurbishment (#4013)

BID DATE:

Tuesday, November 10, 2009

TIME:

2:00:00 PM

LOCATION:

SCDDSN Central Office, Room 247, 3440 Harden Street Ext., Columbia, SC 29203

Engineering and Planning
3440 Harden St. Extension, Columbia,
SC 29203
Phone: (803) 898-8796 Fax:



CONTRACTOR NAME	BID SEC	ADDEND UM(s)	BASE BID NO. 1	ALTERNATE(S)			SUBCONTRACTORS
				1	2	3	
1 Chastain Construction, Inc. Charleston, SC 29413 (843) 722-4555 (843) 723-3920 F LICENSE NO.	✓	✓	\$344,000.00	\$11,678.00	\$13,394.00	\$15,200.00	Mechanical Christie Bros. HVAC LLC Electrical L&M Electric Plumbing Crosby Plumbing
2 Complete Building Corp. Charleston, SC 29407 (843) 763-2463 (843) 768-4659 F LICENSE NO.	✓	✓	\$286,181.00	\$10,211.00	\$14,621.00	\$14,942.00	Mechanical Myatt Air Conditioning Electrical L&M Electric Plumbing Crosby Plumbing
3 International Public Works, LLC Charleston, SC 29423 (843) 308-0524 (843) 308-6650 F LICENSE NO.	✓	✓	\$296,035.00	\$18,558.00	\$13,105.00	\$16,481.00	Mechanical Smith & Assoc. Electrical Reserve Elec Plumbing Smith & Assoc.
4 Ascent Construction Murrells Inlet, SC 29576 (843) 652-4900 (843) 652-4902 F LICENSE NO.	✓	✓	\$303,600.00	\$9,352.00	\$10,000.00	\$12,500.00	Mechanical Christie Bros. Electrical Charleston Electrical Plumbing Crosby Plumbing

CONTRACTOR NAME	BID SEC	ADDENDUM (s)	BASE BID NO. 1	ALTERNATE(s)			SUBCONTRACTORS
				1	2	3	
5 Stenstrom & Associates, Inc. Goose Creek, SC 29445 (843) 824-8684 (843) 553-8333 F LICENSE NO.	✓	✓	\$282,000.00	\$9,775.00	\$10,450.00	\$14,630.00	Mechanical Myatt Air Conditioning Electrical IECC Plumbing BPCO Const.
6 FBI Construction Co. Florence, SC 29501 (843) 665-0408 (843) 665-7715 F LICENSE NO.	✓	✓	\$325,886.00	\$9,500.00	\$10,900.00	\$15,300.00	Mechanical Christie Bros. Electrical W. D. Roberson Plumbing Durden & Chipley
7 Palmetto Construction Group Charleston, SC 29492 (843) 971-7156 (843) 971-3775 F LICENSE NO.	✓	✓	\$309,823.00	\$10,474.00	\$13,045.00	\$16,576.00	Mechanical Christie Bros. Charleston Electrical Services, Inc. Plumbing Crosby Plumbing Group
8 Emory J. Infinger & Associates Charleston, SC 29418 (843) 554-9414 LICENSE NO.	✓	✓	\$289,800.00	\$6,600.00	\$12,800.00	\$15,000.00	Mechanical Younas Heating & Air Electrical Reserve Electrician Plumbing Durden & Chipley
9 Brunson Construction Co. Hampton, SC 29924 (803) 943-2619 (803) 943-2126 F LICENSE NO. G14015	✓	✓	\$261,000.00	\$9,800.00	\$12,200.00	\$27,400.00	Mechanical Coastal Air Technologies M-103681 Electrical Robert Anderson Electrical M-1635 Plumbing TAP of the Lowcountry M-106255
10 J. Musselman Construction Charleston, SC 29416 (843) 225-0408 (843) 225-0408 F LICENSE NO.	✓	✓	\$290,432.00	\$7,100.00	\$15,000.00	\$24,900.00	Mechanical Christie Bros. Charleston Electrical Services Plumbing Durden Plumbing

CONTRACTOR NAME	BID SEC	ADDEND UM(s)	BASE BID NO. 1	ALTERNATE(s)			SUBCONTRACTORS
				1	2	3	
11 Branks General Contractors, LLC Johns Island, SC 29457 (843) 559-5074 (843) 559-3690 F LICENSE NO.	✓	✓	\$297,775.00	\$9,950.00	\$12,800.00	\$16,280.00	Mechanical Christie Bros. Electrical Charleston Utilities Services Plumbing Durden & Chipley Co.
12 Wilson & Associates Charleston, SC 29405 (843) 723-4447 (843) 723-9090 F LICENSE NO.	✓	✓	\$358,985.00	\$11,871.00	\$14,187.00	\$18,163.00	Mechanical Advance Plumbing & Air Electrical RCMP Electrical Plumbing Earnest Jones Plumbing
13 Atrium Builders Summerville, SC 29483 (843) 873-1818 (843) 873-5015 F LICENSE NO. G15089	✓	✓	\$271,600.00	\$9,025.00	\$11,647.00	\$1,500.00	Mechanical Myatt Air Conditioning M-110716 Electrical Charleston Electrical Services Inc. M10 Plumbing Durden Plumbing M-3367
14 MAR Construction Co. Lexington, SC 29072 (803) 796-8960 (803) 796-4400 F LICENSE NO.	✓	✓	\$289,000.00	\$9,861.00	\$13,092.00	\$19,300.00	Mechanical Christie Bros. Electrical Charleston Electrical Services Plumbing TAP of the Lowcountry
15 Pyramid Contracting Imo, SC 29063 (803) 732-2050 LICENSE NO.	✓	✓	\$353,900.00	\$9,927.00	\$12,800.00	\$16,500.00	Mechanical Trouble Shooter Electrical Palmetto State Plumbing Durden & Chipley
16 Harbor Services Inc. 761 Johnnie Dodds Blvd., Ste. 200 Mt. Pleasant, SC 29464 LICENSE NO. G114931	✓	✓	\$324,000.00	\$9,343.00	\$11,647.00	\$15,082.00	Mechanical Heating & Cooling Solutions Electrical Charleston Electrical Services Plumbing Harbor Services

Project Manager

Witness